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Yeshivat Ateret Yerushalayim

IN THE HEART OF THE OLD CITY OF JERUSALEM

From the Teachings of Ha-Rav Shlomo Aviner

Yom Kippur – Parashat Ha'azinu 5768

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Would you like to ask Rav Aviner a question? E-mail mororly@bezeqint.net and the answer will come from Rav Aviner in 1 of 3 ways: 1. Drawn from his published material. 2. From my own notes of Ha-Rav's answers to questions. 3. If the question has not, to my knowledge, been answered in either of these sources, I will ask the question directly from the Rav.

The Minhag of Kapparot: With a Chicken or Money?

[Iturei Cohanim #264]

Q: Regarding the custom of kapparot (before Yom Kippur many have the custom to swing a chicken around one's head, symbolically transferring one's sins to the chicken; it is then slaughtered and given to the poor), many times a large quantity of chickens are held for hours, or even days, in tightly packed cages, where they wait without water or food, then they are removed from the cages and slaughtered. In light this, is it not preferable to perform kapparot with money?

A: The custom of kapparot has been rooted among the Nation of Israel for a long time and no one has the power to prohibit it. It is, however, written in the Shulchan Aruch: "The custom that people have of kapparot on Erev Yom Kippur of slaughtering a rooster for each male and saying verses over it, we should stop this custom" (Shulchan Aruch, Orach Chaim 605:1 in the name of the Ramban and Rashba), and the Mishnah Berurah explains (ibid. #1): "because it resembles the ways of the Emorites" (Darkei Ha-Emori – black magic). But the Rama writes: "But some of the Geonim mentioned this custom, many later authorities mentioned it and people also have this custom in all of these countries, and one may not change it, since it is an ancient custom" (ibid.). The Rama testifies that people acted this way in all of the Ashkenazic countries, as did the Sefardic Jews. Furthermore, there is no problem of "Darkei Ha-Emori" in this custom as the Mishnah Berurah explains: "And he thinks that whatever they do to this chicken should have been done to him, but it is acted out on this chicken, and the early authorities (Rishonim) explained that it is similar to a sacrifice brought for an inadvertent sin" (Mishnah Berurah ibid.). The Chayei Adam, however, already wrote: "And even though some of the Geonim mentioned this custom, what is implanted in the heart of the masses is that all of the atonement of Yom Kippur depends on it, and it is almost as if kapparot and eating matzah are considered of equal weight by them. They think that they will

not attain atonement on Yom Kippur without a rooster, but by acting in this way, they come to the prohibition of eating a neveilah (an animal which died without proper slaughtering), G-d forbid, since (the chickens push each other in large groups and the slaughterers are awake all night with grimaced faces and are so tired they do not even feel the knife (to make certain it is sharp). If people would listen to me, but did not want to eliminate this custom, it is better for them to swing money around their heads. This in truth is also what we find was the custom of the earlier ones who would swing seeds (as the Magen Avraham 81:2 writes in the name of Rashi). They consider it tzedakah and do not stumble in the prohibition of eating neveilah, G-d forbid" (Chayei Adam klal 144 #4 and brought in the Mishnah Berurah 605:2 and Kaf Ha-Chaim #11).

The Chayei Adam therefore teaches us that it is preferable to perform kapparot with money when the chickens are cramped and there is a question about the kashrut of the slaughtering. It is also possible to add the concern of "tza'ar ba'alei chaim" (causing distress to animals), since added to the distress that the chickens experience during their upbringing is the great distress before kapparot. This is based on what was pointed out by Ha-Gaon Rav Chaim David Ha-Levy: "And why particularly on the eve of the holy day do we need to be cruel to animals, without any need, and to slaughter them without any mercy, at the time when we stand to request life for ourselves from the Living G-d" (Shut Aseh Lecha Rav vol 3, p. 67). In truth, however, there is no prohibition of "tza'ar ba'alei chaim" when a person uses an animal for a vital need, and a fixed custom of Israel is considered a vital need. Nevertheless, since there is the possibility for us to use money instead, and it is also preferred when there is a huge quantity of chickens to slaughter, as the Chayei Adam wrote, it can be argued that this is not a vital necessity and there is an actual a problem of "tza'ar ba'alei chaim."

To summarize: It is better to fulfill the custom of kapparot with money.



Ha-Rav answers hundreds of text message questions a week. Some appear in the parashah sheets "Ma'ayanei Ha-Yeshu'ah" and "Olam Ha-Katan." Here's a sample:

Q: A neighbor stole from me, spoke ill about me, and has not asked for forgiveness. Do I have to forgive her?

A: You are not obligated. See Yoma 23a.

Q: I am an engineering student and I am under a lot of pressure because of studying for exams. May I study on Rosh Hashanah?

A: Rosh Hashanah is certainly a holy time, and we should devote our hearts to davening and the mitzvot on the day. But regarding your question – it is permissible.

Q: If I wake up early for Selichot and then go back to sleep, do I recite the Shema before sleeping?

A: We do not recite the Shema before sleeping in the morning.

Q: Is it permissible to take pills, before Yom Kippur, which makes fasting easier or are we obligated to suffer?

A: It is permissible just as it is permissible to eat before the fast (by the way, there is no proof that these pills are actually effective).

Q: Is it permissible to take essential medicine on a fast day or is it considered eating?

A: Medicine which lacks taste is not considered food and it is permissible. If it has taste, wrap it in a thin piece of paper and swallow it. You should obviously take it without water.

Q: Is it permissible for someone who suffers greatly if he has bad breath to brush his teeth on a fast day?

A: It is forbidden on Yom Kippur and Tisha Be-Av, but it is permissible to be lenient on the other fasts.

Q: Is it permissible to tell jokes on Yom Kippur?

A: Certainly not. It is a serious day for repentance, and this is the essence of the day.

Q: Someone ruined my life. Do I have to forgive him?

A: No, only if he fixes what he destroyed.

Q: During the year, to my distress, I hurt many people – some of whom I have forgotten and others from whom I cannot ask forgiveness. What should I do?

A: This is a difficult problem. A general solution: Everyone should forgive everyone else, as is mentioned in the prayer "Tefillah Zakah," and in the future be careful not to hurt others.

Stories of Rabbenu – Our Rabbi

Ha-Rav Tzvi Yehudah Ha-Cohain Kook

Maran (our revered teacher) Ha-Rav Kook – Part 3

Our Rabbi said: "All of Abba Ha-Rav's words in 'Orot,' 'Orot Ha-Kodesh,' 'Orot Ha-Torah,' 'Orot Re'eiyah,' etc..., were written with 'Ruach Ha-Kodesh' (divine spirit), like the words of the Maharal; even though they appear as literary-intellectual [writings], they are all with the divine spirit."

A student asked our Rabbi: "Why doesn't Ha-Rav write all of his ideas?" He responded: "I accepted upon myself to publish the books of Abba Ha-Rav ztz"l." Our Rabbi did not allow anyone to approach this holy work, rather he engaged in it with great self-sacrifice and amazing precision.

After Maran Ha-Rav ascended on high in the year 5695, our Rabbi secluded himself with Maran Ha-Rav's writings until the year 5712. He dedicated most of his time to publishing the halachic writings in order that the image of Maran Ha-Rav not only would be as a philosophical thinker and a communal leader, but also so he could be seen in his full Torah standing as a great genius.

Some students have the ability to draw from the Torah of their teacher and give it to others to drink (see Yoma 28b and Rashi to Bereshit 15:2), but they can only give what they receive. Our Rabbi was much more than this. He absorbed the Torah of Maran Ha-Rav and it became an inseparable part of his soul and essence. He was thus able to lead a generation which had new problems that did not exist at the time of Maran Ha-Rav. He was able to tell us what Maran Ha-Rav would have said in a given situation. Anyone who looked at our Rabbi actually saw Maran Ha-Rav in him.

Our Rabbi said: "There are people who do not know what are Gan Eden and Gehinom: I can feel Gehinom in this world on account of the distance from Abba."

Our Rabbi said: "I do not understand how the world exists without Abba."



Shut She'eilat Shlomo - Questions of Jewish Law

A Knit Kippah

Question: I grew up under the impression that a knit kippah is correct and the ideal, since it represents the stream to which I am connected. But when I became somewhat wiser, I found that the kippah I proudly wear is a new phenomenon and even Rabbis like Maran Ha-Rav Kook, our Rabbi Ha-Rav Tzvi Yehudah, Ha-Rav Charlop and Ha-Goren looked like all of the Ultra-Orthodox Jews in Meah Shearim and Bnei Brak. If this is the case, why did our clothing change and why don't we continue the Jewish style of dress which was practiced throughout all of the previous generations?

Answer: The Torah does not contain any detailed instruction how our clothing must look, nor does the Mishnah, the Gemara or the books of the halachic authorities. The essence is that they not have shatnez, that we wear tzitzit and that the clothing be modest. The Rambam did not have clothing like Jews wear in Meah Shearim today. Nowhere is it written how a kippah must look. G-d-fearing Jews have all types of hats, among the Ashkenazim, Sefardim and Yemenite Jews. One need not make the kippah a basic principle of Judaism. I, the lowly one, do not see a problem if I sometimes wear a black kippah and sometimes wear a knit kippah. Please do not make a big deal about secondary issues.



Family Matters - Ha-Rav writes weekly for the parashah sheet
"Rosh Yehudi" on family relationships

I do not respect my wife

Question: *I have been married for three years, but I do not respect my wife. My mother is a true homemaker: she wakes up early, and the house is always in order and the food is ready. My wife wakes up late and does not like to straighten up the house, but loves to read and study. There is barely any cooked food, except for what I prepare. She is not diligent – even though she is a teacher in an institute of higher learning. She also gets very angry about anything I do not which is not correct. When I argue over something which is important to her, she immediately gets angry and does not talk to me for several days. In truth, it does not bother me so much; on the contrary, I am happy that I have time to myself. I used to try to appease her, but now I have stopped. She is rebellious in an extreme fashion. If her father or principal points out something, she says: I won't do it and don't give me orders. There are obviously also quiet times, but most of the time is a war. Perhaps it is better for us to get divorced, and since we do not have children, it will make it easier for both of us. We could each build our lives separately.*

Answer: *It is possible that it is difficult for your wife because she does not have children, and this upsets her, as it says, "Give me children, and if not – I will die" (Bereshit 30:1). It is also*

possible that your wife is not an angel, but you are not an angel either. I am also not an angel. It is not your role to educate her, but to honor and love her with patience. Obviously, if both of you are suffering, it is possible to divorce. But if seems that these are the types of problems which can be solved with the help of daily conversation and a marriage counselor. This is not so complex. Are you certain that there is nothing to respect and love in your wife?

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